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10/550,840	09/23/2005	Jacobus Cornelis Haartsen	P16747-US1	5481
27045	7590	10/29/2009	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			SAFAIPOUR, BOBBAK	
			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sidney Weatherford (Reg. #45,602) on September 10, 2009.

The application has been amended as follows:

1. (Currently Amended) A method for managing traffic in a network, involving a communication device with a limited power supply, comprising: ~~characterized by~~ determining a current level of available power in said power supply for transmitting and receiving functions of said communication device;

communicating said power level to a controller;

determining a current power drain rate of said power ~~source~~ supply detecting a need for data transfer associated with said communication device, wherein said data transfer is an incoming call to said communication device or ~~and~~ a request for transmission from said communication device;

determining a quantity of data relating to said data transfer;

calculating whether said power level is sufficient to effect the transfer of said quantity of data; ~~and signaling said controller to effect said data transfer according to said power level~~

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~~calculations~~, wherein a quality of service level provided to the communication device in the network is changed in response to said power level calculations; and

~~wherein if said power level and said power drain rate are [[is]] sufficient to transfer said quantity of data, said controller includes: commencing the transfer of said quantity of data to the communication device, wherein~~

~~if said power level and said power drain rate are [[is]] not sufficient, transferring a portion of said quantity of data to the communication device and transferring the remainder of said quantity of data to a predetermined destination, the address of which is sent to the communication device for retrieving the remainder of said quantity of data.~~

~~instructions based on said power supply connections for one of receiving all of said data or receiving a portion of said data;~~

~~means for redirecting all of said data to a predetermined location; and~~

~~means for receiving the portion of said data and directing the remainder of said data to a predetermined address.~~

2. (Original) The method of Claim 1, further comprising:

storing initial parameters for said power supply of said communication device and periodically updating said power supply parameters, wherein said parameters include:

a drain rate for each communication service available to said communication device; and  
an initial power source level upon connection to the network.

3. (Canceled)

4. (Original) The method of Claim 1, wherein said communication device is a battery operated remote sensor and said network is a wireless network.

5. (Original) The method of Claim 4, wherein said network is a non-wireless network.

6. (Original) The method of Claim 1, wherein said communication device is a wireless mobile terminal and said network is a wireless network.

7. (Original) The method of Claim 6, wherein said traffic is voice traffic and a voice call is begun on said mobile terminal at a first quality of service level according to an initially determined power level and power drain rate of said mobile terminal battery, and said voice call is continued at a second quality of service level according to a subsequently determined power level and power drain rate of said mobile terminal battery.

8. (Currently Amended) The method of Claim 6, wherein a video message is presented for transfer and the audio portion of the message is transferred but the video portion is redirected to a predetermined address and a message is sent to inform a ~~the~~ recipient of said audio the location of said video portion.

9. (Currently Amended) The method of Claim ~~3~~ 1, wherein said data comprises a Multimedia Messaging Service (MMS) message.

10. (Currently Amended) The method of Claim 3 ~~1~~, wherein said data comprises a video message.

11. (Original) The method of Claim 1, wherein said communication device is a wireless modem.

12. (Original) The method of Claim 1, wherein said communication device is a cordless phone system and said network is a public switched telephone network (PSTN).

13. (Original) The method of Claim 1, wherein said communication device is a personal digital assistant and connects to a PSTN by wirelessly connecting to a computer connected to said PSTN

14. (Currently Amended) An apparatus for managing traffic in a network involving a communication device with a limited power supply, the apparatus comprising ~~characterized by:~~  
a transceiver for receiving and transmitting data ~~messages~~;  
a controller for monitoring a current power level of said power supply and a ~~calculated~~  
power drain rate of said communication device, wherein said controller includes means for:  
receiving all of said data ~~messages~~;  
redirecting ~~all of said~~ said data ~~messages~~ to a predetermined location; and

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based on the current power level, receiving a portion of said data messages and directing the remainder of said data messages to a predetermined address based on the power level; and means coupled to said power supply for determining said power drain rate of said communication device;

signal means for signaling said communication device to receive or transmit data messages according to said current power level and said power drain rate, wherein a quality of service level provided to the communication device in the network is changed in response to said power level calculations, wherein

if said current power level and said power drain rate are sufficient to transfer said quantity of data, said controller commencing the transfer of said quantity of data and

if said current power level and said power drain rate are not sufficient, said controller transferring a portion of said quantity of data to the communication device and transferring the remainder of said quantity of data to a predetermined destination, the address of which is sent to the communication device for retrieving the remainder of said quantity of data.

15. (Original) The apparatus of Claim 14, further characterized by:

a database for storing initial parameters for said power supply of said communication device and periodically updating said power supply parameters, wherein said parameters include:

a drain rate for each communication service available to said communication device; and  
an initial power source level upon connection to the network.

16. (Canceled)

17. (Original) The apparatus of Claim 14, wherein said communication device is a battery operated remote sensor and said network is a wireless network.

18. (Original) The apparatus of Claim 17, wherein said network is a non-wireless network.

19. (Original) The apparatus of Claim 14, wherein said communication device is a wireless mobile terminal and said network is a wireless network.

20. (Original) The apparatus of Claim 19, wherein said traffic is voice traffic and a voice call is begun by said wireless mobile terminal at a first quality of service level according to an initially determined power level and power drain rate of a battery for said wireless terminal and said voice call is continued at a second quality of service level according to a subsequently determined power level and power drain rate of said battery.

21. (Currently Amended) The apparatus of Claim 14, wherein a video message is presented for transfer and the audio portion of the message is transferred but the video portion is redirected to a predetermined address and a message is sent to inform a ~~the~~ recipient of said audio the location of said video portion.

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22. (Original) The apparatus of Claim 14 wherein said communication device is a wireless modem.

23. (Original) The apparatus of Claim 14, wherein said communication device is a cordless phone system and said network is a public switched telephone network (PSTN).

24. (Original) The apparatus of Claim 14, wherein said communication device is a personal digital assistant and connects to a PSTN by wirelessly connecting to a computer connected to said PSTN.

25. (Original) The apparatus of Claim 14, wherein said means for determining said power drain rate further comprises periodically determining said power drain rate associated with said communication device when said communication device changes location during data transmission.

26. (Original) The method of Claim 1, wherein the step of determining a current power drain rate of said power source further comprises the step of periodically determining said drain rate when said communication device changes location during data transmission.

### ***Reasons for Allowances***

The following is an examiner's statement of reasons for allowance:



**Claims 3 and 16** have been cancelled.

**Claims 1-2, 4-15, and 17-26** are allowable.

Consider **claim 1**, the best prior art of record found during the examination of the present application, **Szienski (UK Patent Application GB 2 366134 A)** in view of **Muramatsu (US 2001/0012774 A1)** and **in further view of Toshida et al. (EP 1 032 230 A2; hereinafter Toshida)**, fails to specifically disclose, teach, or suggest a method for managing traffic in a network, involving a communication device with a limited power supply, comprising: determining a current level of available power in said power supply for transmitting and receiving functions of said communication device; communicating said power level to a controller; determining a current power drain rate of said power supply detecting a need for data transfer associated with said communication device, wherein said data transfer is an incoming call to said communication device or a request for transmission from said communication device; determining a quantity of data relating to said data transfer; calculating whether said power level is sufficient to effect the transfer of said quantity of data; wherein a quality of service level provided to the communication device in the network is changed in response to said power level calculations; and if said power level and said power drain rate are sufficient to transfer said quantity of data, said controller commencing the transfer of said quantity of data to the communication device, wherein if said power level and said power drain rate are not sufficient, transferring a portion of said quantity of data to the communication device and transferring the remainder of said quantity of data to a predetermined destination, the address of which is sent to the communication device for retrieving the remainder of said quantity of data.

**Claims 2 and 4-13** are allowable because it is dependent upon independent claim 1.

Consider **claim 14**, the best prior art of record found during the examination of the present application, **Szienski (UK Patent Application GB 2 366134 A)** in view of **Muramatsu (US 2001/0012774 A1)** and **in further view of Toshida et al. (EP 1 032 230 A2; hereinafter Toshida)**, fails to specifically disclose, teach, or suggest An apparatus for managing traffic in a network involving a communication device with a limited power supply, the apparatus comprising: a transceiver for receiving and transmitting data; a controller for monitoring a current power level of said power supply and a power drain rate of said communication device, wherein said controller includes means for: receiving all of said data; redirecting said data to a predetermined location; and based on the current power level, receiving a portion of said data and directing the remainder of said data to a predetermined address and means coupled to said power supply for determining said power drain rate of said communication device; signal means for signaling said communication device to receive or transmit data according to said current power level and said power drain rate, wherein a quality of service level provided to the communication device in the network is changed in response to said power level calculations, wherein if said current power level and said power drain rate are sufficient to transfer said quantity of data, said controller commencing the transfer of said quantity of data and if said current power level and said power drain rate are not sufficient, said controller transferring a portion of said quantity of data to the communication device and transferring the remainder of said quantity of data to a predetermined destination, the address of which is sent to the communication device for retrieving the remainder of said quantity of data.

**Claims 15 and 17-26** are allowable because it is dependent upon independent claim 14.

### *Conclusion*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBBAK SAFAIPOUR whose telephone number is (571)270-1092. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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October 26, 2009

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